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P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Letters Patent of:)
) Application No.: **10/801,214**
Kuwert)
) Examiner: **Tran Nguyen**
Patent No.: **7,057,317**)
) Art Unit: **2834**
Issued: **June 6, 2006**)
For: **ELECTRIC MOTOR**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
**ATTENTION: Certificate
of Correction Branch**

<p align="center"><u>CERTIFICATE OF MAILING</u></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 ATTENTION: Certificate of Correction Branch on June 19, 2006.</p> <p>By: <u>Carol Prentice</u> CAROL PRENTICE</p>
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REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 C.F.R. §1.322

Certificate
JUN 23 2006
of Correction

Dear Sir:

Transmitted herewith is a Certificate of Correction for U.S. Patent No. 7,057,317 which issued on June 6, 2006. Upon reviewing the patent, the patentee noted minor typographical errors in claims 27, 30 and 31. Specifically, the dependency claim number is incorrectly stated as claim 25.

A Certificate of Correction is enclosed, and reads as follows:

- Column 12, claim 27, line 24: according to claim --26--.
- Column 12, claim 30, line 32: according to claim --26--.
- Column 12, claim 31, line 36: according to claim --26--.

Enclosed is a copy of Patentee's Amendment filed on November 25, 2005 evidencing the requested corrections. The claims as renumbered in the patent are shown in the Amendment. Claim 22 in

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Patent No.: 7,057,317
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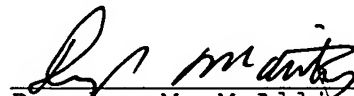
the Amendment is renumbered as claim 26 in the patent. Claims 27, 30 and 31 as renumbered in the patent were dependent on claim 22 in the Amendment and should therefore be dependent on claim 26 in the patent (not claim 25).

Since the errors for which a Certificate of Correction are sought were the result of Patent and Trademark Office mistakes, no fee is due (35 U.S.C. §254). The issuance of the enclosed Certificate of Correction is therefore respectfully requested.

Attached hereto, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.

Please send the Certificate to Patentee's undersigned representative.

Respectfully submitted,



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ATTORNEY DOCKET NO.: HOE-805
Date: June 19, 2006

2006

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,057,317

APPLICATION NO.: 10/801,214

ISSUE DATE : June 6, 2006

INVENTOR(S) : Kuwert

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 12, claim 27, line 24: according to claim --26--.

Column 12, claim 30, line 32: according to claim --26--.

Column 12, claim 31, line 36: according to claim --26--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,057,317

APPLICATION NO.: 10/801,214

ISSUE DATE : June 6, 2006

INVENTOR(S) : Kuwert

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below.

Column 12, claim 27, line 24: according to claim --26--.

Column 12, claim 30, line 32: according to claim --26--.

Column 12, claim 31, line 36: according to claim --26--.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

O. Kuwert

Serial No.: 10/801,214

Filed: March 15, 2004

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Examiner: T. Nguyen

Art Unit: 2834

COPY

For: **ELECTRIC MOTOR**

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: November 22, 2005.

Signature: Carol Prentice
Carol Prentice

AMENDMENT

Dear Sir:

This Amendment is responsive to the Office Action mailed on August 24, 2005. Please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) Electric motor, ~~in particular a brushless electric motor~~, comprising:

a rotor,

a stator,

a motor housing for receiving the rotor and the stator, said rotor being mounted in said housing for rotation about a rotor axis,

a first bearing, disposed on the motor housing on a first side of the rotor; and a second bearing, disposed on a second side of the rotor lying opposite the first side, for the rotatable mounting of the rotor about a rotor axis,

the motor housing comprising a housing body, which receives the stator, and a flange body, which receives the second bearing, ~~and can be~~ said flange body being mounted on the housing body, the flange body, when it is in an axial end position in relation to the rotor axis, being such that said flange body is held guided on the housing body against a movement transversely to the rotor axis, and being fixed in relation to the housing body against a movement in the direction of the rotor axis by means of

~~first positively connecting features, elements provided on the flange body; and second positively connecting features, elements provided on the housing body, which features said first and second connecting elements being in~~ can be brought into operative connection with one another when said flange body is in an axial end position, by a relative movement of the flange body and housing body and

said connecting elements are adapted such that, in the axial end position, the flange body can be rotated in relation to the housing body without changing the axial end position.

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2. (Currently amended) Electric motor according to claim 1, wherein the ~~positively~~ connecting ~~features~~ elements are formed in such a way that they can be brought into engagement with one another by a relative movement with respect to one another in the direction of the rotor axis.
3. (Currently amended) Electric motor according to claim 1, wherein the ~~positively~~ connecting ~~features~~ elements are formed in such a way that they can be fixed relative to one another against a movement in the direction of the rotor axis by a turning movement relative to one another about the rotor axis.
4. (Currently amended) Electric motor according to claim 2, wherein the ~~positively~~ connecting ~~features~~ elements interact in the manner of a bayonet fastener.
5. (Currently amended) Electric motor according to claim 1, wherein ~~the one of the~~ positively connecting ~~features~~ elements ~~is~~ are formed by path followers and the other ~~positively of the~~ connecting ~~features~~ elements ~~is~~ are formed by guide paths for the path followers.
6. (Currently amended) Electric motor according to claim 1, wherein a single axial end position of the flange body in relation to the housing body can be fixed by the ~~positively~~ connecting ~~features~~ elements.
7. (Currently amended) Electric motor according to claim 1 + ²⁰~~20~~, wherein the ~~positively~~ connecting ~~features~~ elements are formed in such a way that, in the axial end position, the flange body can be turned in relation to the housing body without changing ~~this~~ the axial end position.
8. (Original) Electric motor according to claim 1, wherein the flange body can be brought into the axial end position while being guided by guiding elements acting parallel to the rotor axis.
9. (Currently amended) Electric motor according to claim 1 + ⁸~~8~~, wherein the flange body can be

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inserted into an opening in the housing body.

10. (Original) Electric motor according to claim 9, wherein a circumferential surface of the flange body and an inner surface of the opening, facing the flange body, form the guiding elements.

11. (Currently amended) Electric motor according to claim 9, wherein the second ~~positively~~ connecting ~~features are~~ elements are disposed at the opening in the housing body receiving the flange body.

12. (Currently amended) Electric motor according to claim 11, wherein the second ~~positively~~ connecting ~~features are~~ elements are disposed in the housing body in the region of an inner surface of the opening, facing the inserted flange body.

13. (Currently amended) Electric motor according to claim 9, wherein the first positively connecting ~~features are~~ elements are disposed on a side of the flange body facing the opening.

14. (Currently amended) Electric motor according to claim 13, wherein the first positively connecting ~~features are~~ elements are disposed on the circumferential surface of the flange body.

15. (Original) Electric motor according to claim 9, wherein the opening is an access opening for an interior space of the housing body.

16. (Original) Electric motor according to claim 15, wherein the opening in the housing body is dimensioned in such a way that the rotor can be inserted through it into the motor housing.

17. (Original) Electric motor according to claim 1, wherein the second bearing is supported in the axial direction on the flange body by means of a resilient element.

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11 18. (Original) Electric motor according to claim 1, wherein the flange body has a receptacle for the second bearing, in which the second bearing is movable in the axial direction with respect to the rotor axis in relation to the flange body.

19. (Original) Electric motor according to claim 18, wherein the receptacle for the second bearing is formed as a hollowing-out provided in the flange body.

20. (Currently amended) Electric motor according to claim 1, wherein comprising:

a rotor,

a stator,

a motor housing for the rotor and the stator, said rotor being mounted in said housing for rotation about a rotor axis,

a first bearing, disposed on the motor housing on a first side of the rotor and a second bearing, disposed on a second side of the rotor lying opposite the first side, for the rotatable mounting of the rotor about a rotor axis,

the motor housing comprising a housing body, which receives the stator, and a flange body, which receives the second bearing, said flange body being mounted on the housing body such that said flange body is held on the housing body against a movement transversely to the rotor axis,

first connecting elements provided on the flange body and second connecting elements provided on the housing body, said first and second connecting elements being in operative connection with one another when said flange body is in an axial end position, and

at least one sensor sensing rotational movements of the rotor is disposed on a side of the flange body facing the rotor.

21. (Original) Electric motor according to claim 20, wherein the at least one sensor is formed as a magnetic field sensor facing sensor magnets of the rotor.

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22. (Original) Electric motor according to claim 20, wherein a sensor board with the at least one sensor is disposed on a side of the flange body facing the rotor.
23. (Original) Electric motor according to claim 22, wherein the sensor board can be simultaneously turned with the flange body.
24. (Original) Electric motor according to claim 23, wherein the sensor board is fixedly connected to the flange body.
25. (Original) Electric motor according to claim 23, wherein the sensor board is connected to the flange body by means of positively connecting elements.
26. (Original) Electric motor according to claim 22, wherein the second bearing is disposed on the flange body on a side of the sensor board facing away from the rotor.
27. (Original) Electric motor according to claim 22, wherein a cable leading away from the sensor board is led through a cut-away portion in the flange body.
28. (Original) Electric motor according to claim 27, wherein the cut-away portion is open toward an outer side of the flange body.
29. (Original) Electric motor according to claim 1, wherein the flange body can be fixedly connected to the housing body.
30. (Original) Electric motor according to claim 1, wherein the housing body has on a side lying opposite the flange body a bearing flange receiving the first bearing.

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32. (Original) Electric motor according to claim 1, wherein the housing body is formed from a cured composition embedding the stator.

REMARKS

This Amendment is responsive to the Office Action mailed on August 24, 2005. Claims 1-7, 9, 11-14, 20 are amended. Claims 1-32 are pending.

The Examiner has indicated that claims 20-28 contain allowable subject matter.

The Examiner has requested a translation of JP 58-133139. An English language translation of this Japanese reference is submitted herewith.

Claims 1-31 have been rejected as being indefinite. The claims are amended herein to overcome the indefiniteness rejection. Withdrawal of this rejection is respectfully requested.

Claims 1, 3-7, 9, 11-14 and 29-32 are rejected under 35 U.S.C. § 102(b) as being anticipated by Toshihiko (JP 58-133139).

Claims 8, 10, and 15-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Toshihiko in view of Klingler (US 5,747,903).

Claims 17-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Toshihiko in view of Irie (JP 403139138).

Applicant notes that the Examiner did not raise a prior art rejection with respect to Applicant's claim 2.

Applicant respectfully traverses these rejections in view of the amended claims and the following comments.

Discussion of Amended Claims

Claim 1 is amended to overcome the Examiner's rejections under 35 U.S.C. § 112. Claim 1 is also amended to clarify the claim language. In addition, claim 1 is amended to include the subject matter of claim 7. Claim 7 is amended to depend from claim 20.

Claim 20, which the Examiner indicated contains allowable subject matter, is amended into independent form by the inclusion of the subject matter of claim 1. Applicant respectfully submits that claims 20-28 are in condition for immediate allowance.

Claims 2-7, and 11-14 are amended to overcome the Examiner's rejection under 35

2005

U.S.C. § 112, withdrawal of which is respectfully requested.

Claim 9 is amended to depend from claim 8 in order to correct a potential antecedent basis problem in the claim as written.

Discussion of Toshihiko

Claims 1, 3-7, 9, 11-14 and 29-32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Toshihiko. This rejection is respectfully traversed. An anticipation rejection requires that each and every element of the claimed invention as set forth in the claim be provided in the cited reference. See *Akamai Technologies Inc. v. Cable & Wireless Internet Services Inc.*, 68 USPQ2d 1186 (CA FC 2003), and cases cited therein. As discussed in detail below, Toshihiko does not meet the requirements for an anticipation rejection.

Toshihiko discloses a motor in which the stator 12 is molded with resin and a plurality of projections 18 are provided in a cylindrical concave part 17 for fitting a bracket 16 of a main body part 11 to which one bearing metal 13 is fitted by a metal presser spring and a metal cover 15. A plurality of spiral grooves are provided in the axial direction of shaft 20, on the outer circumferential surface of the bracket 16 to which the other bearing metal is fitted. The projections 18 of the main body part 11 are matched with the grooves 19 of the bracket 16 so that the former is fitted into the latter. The bracket 16 can be turned in order to be inserted into the concave part 17 of the main body part 11. By varying the turning position of the bracket when it is inserted, the position of the bearings 13 in the direction of thrust can be adjusted (Abstract).

The axially spiral grooves 19 of Toshihiko are provided on an outer peripheral surface of the bracket 16. The spiral grooves 19 cooperate with projections 18 provided on recess 17 of the body 11, so that any change of the rotational position of the bracket 16 is correlated with a variation in the axial distance between the bearings. This change in axial distance is the object of the design of Toshihiko, which was developed to accommodate manufacturing differences in the thickness of shaft washers 21, 22, 23, collar 24, and rotor core 25 when adjusting thrust to a predetermined value, without requiring replacement of the shaft washers with washers of different thicknesses. The bracket 16 is fixed in place by bonding after adjustment of the thrust is

completed (see, e.g., attached English language translation at pages 2 and 3).

Claim 1 is amended herein to include the subject matter of claim 7. Toshihiko discloses the opposite of the subject amended claim 1, which specifies that the connecting elements are adapted such that, in the axial end position, the flange body can be rotated in relation to the housing body without changing the axial end position. In other words, with Applicant's claimed invention, rotation of the flange body does not change the axial end position of the flange body, and therefore the axial distance between the bearings is not changed when the flange body is rotated.

Therefore, for example, with Applicant's claimed invention, the rotational position of magnetic field sensors arranged on the flange body can be adjusted by rotating the flange body, without varying their axial position. Such a result cannot be achieved with the design of Toshihiko, since a rotation of the bracket 16 will result in a change in the axial distance of the bracket 16.

Toshihiko does not disclose or remotely suggest a motor in which a flange body for the second bearing has first connecting elements and the housing body has second connecting elements, where the connecting elements are adapted such that, in the axial end position, the flange body can be rotated in relation to the housing body without changing the axial end position of the flange body, as set forth in Applicant's amended claim 1.

As Toshihiko does not disclose each and every element of the invention as claimed, the rejections under 35 U.S.C. § 102(b) are believed to be improper, and withdrawal of the rejections is respectfully requested. See, *Akamai Technologies Inc., supra*.

Applicants respectfully submit that the present invention is not anticipated by and would not have been obvious to one skilled in the art in view of Toshihiko, taken alone or in combination with any of the other prior art of record.

Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the foregoing discussion. Applicant's silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

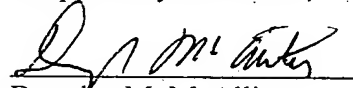
JUN 23 2006

Withdrawal of the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) is therefore respectfully requested.

Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,



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ATTORNEY DOCKET NO.: HOE-805

Date: November 22, 2005

REC'D 11/22/05